



MEDIA RELEASE

**Hon. John Hatzistergos MLC
Attorney General
Minister for Justice
Minister for Industrial Relations**

Wednesday, January 14, 2008

GOVERNMENT WELCOMES NEWS OF FEWER SECTION 10S

Attorney General John Hatzistergos today welcomed a report by the Bureau of Crime Statistics and Research (BOCSAR) which showed a decline in Section 10s given for high and medium range drink driving.

The BOSCAR study shows the number of Section 10s being given for high range drink driving had dropped by 71% since a guideline judgement was made by the Criminal Court of Appeal in 2004.

The report found there are more convictions and more severe sanctions for high range drink driving offences.

The report also found Section 10s for mid-range offences had fallen by 30% since 2004 and that there was a slight reduction in the number of low range Section 10s given by courts.

“While the Government welcomes the impact of the Criminal Court of Appeal’s guideline judgment on the use of Section 10s, we acknowledge more needs to be done,” said Mr Hatzistergos.

“The availability of Section 10s allows courts to avoid rigidity but it is important to acknowledge that community awareness and attitudes to drink driving offences have changed.”

To this end, the Government will convene a working party to examine the prospects of seeking a further guideline judgement or legislative changes.

At present a Section 10 order, that finds an offender guilty but does not proceed to conviction, can be issued where the offender has special characteristics or there are extenuating circumstances.

A section 10 order can be issued subject to a person entering into a good behaviour bond for up to two years or attending an accredited traffic offender program.